

the doctrine that white men—for they were white men to whom that old Jewish law applied—that a white man may be sold for debt by his creditor; that the creditor may seize not only his debtor, but his wife and his children and expose them in mart overt to be sold to the highest bidder to answer his claim. Let them do that, and then go out to the people and tell them that they did it *on Bible sanction*; or else let them abandon this Bible defence of slavery. Let them do the one or the other.

Mr. BERRY, of Prince George's. The reference to the Bible, made by me this morning, was in answer to the charge that slavery was a sin; that it was sinful to hold slaves. I wanted to show that it was justified by the Bible, both in the Old and New Testaments.

Mr. SANDS. Do you not believe it would be a sin, at this day, to incorporate into our organic law a provision which would authorize your creditor to sell you, and your wife and your children into slavery to satisfy his claim? Would not that be a sin?

Mr. BERRY, of Prince George's. That is not the question under consideration.

Mr. SANDS. Humph! [Laughter] Well, if it would not be a sin, because it is in the Bible, then do it. But if it is a sin, then do not say it is not a sin because it is in the Bible. Sir, this Bible defence of slavery deserves scarcely even a word of serious answer. When the peculiar friend of the South, from across the water, Mr. William Howard Russell, who was so kind to Southern gentlemen, so tolerant to all their faults and foibles, and so much in love with their "chivalry"—when he listened to those things, he said he had but one answer to make to them; and that was, that they had never been heard outside of America. That the rest of the Christian world did not know anything of them; and all he had to say about such arguments, and such books as were written by Bishop Hopkins, was that a people who could read Bishop Hopkins's *Bible View of Slavery*, and the *New York Herald*, and believe either the one or the other, were ripe for political destruction. I agree with him about Bishop Hopkins's book; I do not know so much about the *Herald*.

Mr. CHAMBERS. You accept him as authority?

Mr. SANDS. In that case I do.

Mr. CHAMBERS. But in none other?

Mr. SANDS. Well, I do not think he is infallible. He has said a great many foolish things, especially about "the chivalry." [Laughter.]

Having got thus far, I propose to pay my respects to the argument based upon the Constitution of the United States. And incidentally I shall touch upon some expressions I have listened to upon this floor. Now, while I declare myself a law-abiding citizen; while, as long as the statute is upon the book,

and as long as the decree is upon record, I will obey it; still I say I have my right as a free, thinking man to express my opinion of the doctrines they teach, and I say here, in my place to-night, that when the Supreme Court of the United States, through the lips of that aged man, Chief Justice Taney, declared that this Government was founded upon the doctrine that the black man had no rights which the white man was bound to respect, he put upon the record, to his own undenying shame, an historical and legal falsehood.

Mr. BRISCOE. Did Judge Taney ever lay down any proposition to that effect in that decision, or in any other dictum?

Mr. SANDS. Yes, sir; I have the book at hand.

Mr. BRISCOE. Did he say that the white man had control of the life of his black servant?

Mr. SANDS. He said that "the black man had no rights which the white man was bound to respect." That is his language.

Mr. BRISCOE. That means that he could put him to death?

Mr. SANDS. I give you his language; he can give you its meaning; you must go to him for that. But I say it is a legal and historical falsehood, that this Government was founded upon any such principle. It was founded upon no such principle, upon no such doctrine, under no such condition of fact, and Chief Justice Taney knows it—or the more shame for him if he does not.

Now, what are the facts in this respect, the facts of history, as well as of law? Who were many of these negroes in regard to whom Chief Justice Taney was speaking in this decision? They were the descendants of those who had helped to fight the battles of independence. They were those men about whom Southern States' courts had held a far different doctrine. I have a case in point, the case of the State of North Carolina vs. Manuel—2 Dev. and Bat. 20. And I will read what Judge Gaston said on this point, a great many years before Chief Justice Taney—God forgive him for the evil he has done his country. These words were spoken by Chief Justice Gaston, of North Carolina, long before the Supreme Court of the United States fulminated its brutal dictum upon the matter. That eminent justice held this language:

"According to the laws of this State, (North Carolina,) all human beings within it, who are not slaves, fall within one of two classes. Whatever distinctions may have existed in the Roman laws between citizens and free inhabitants, they are unknown to our institutions."

And I beg the Convention to follow the reasonings of Chief Justice Gaston on this point.

"Before our revolution, all free persons born within the dominions of the King of Great